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## SHEEP-KILLING DOGS



**W**OOL AND MUTTON are staple commodities, large quantities of which are needed and used in the United States. The future welfare of our country requires that earnest efforts be made to foster the sheep-raising industry and keep it on a sound economic basis.

The sheep-killing dog is one of the greatest menaces to the success of the sheep industry.

Dogs not only destroy sheep but they also keep out of the sheep business men who are inclined to go into it.

The most effective method of dealing with sheep-killing dogs is through effective legislation rigidly enforced.

Proper legislation will greatly reduce losses of livestock and the danger of rabies and will give strong protection to the duly licensed dog.

Many States have enacted good dog laws, but some States still have practically no regulations controlling the dog.

No law, however well worded it may be, can be effective unless it has the moral support of the people affected by it and is properly enforced.

Uniform State dog laws are desirable.

# SHEEP-KILLING DOGS

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## THE PROBLEM OF THE SHEEP-KILLING DOG

IN THE FARM STATES men who have engaged in the sheep business and have failed to find sheep raising profitable are agreed that one of the greatest causes for discouragement has been the sheep-killing dog. Thousands of sheep are killed every year by dogs, causing a large monetary loss to sheep owners. Yet the greatest setback of all, which dogs cause the farm-sheep industry as a whole, consists in keeping out of the business men who otherwise are inclined to go into it. No farmer, although desiring to raise sheep, is likely to attempt it while his neighbors' flocks are being chased to death. The effect on persons who have seen sheep that have been wantonly destroyed or maimed by dogs is even more destructive to the industry than is the actual damage sustained.

## HABITS OF THE SHEEP-KILLING DOG

Sheep-killing dogs work both singly and in groups, but usually in twos or threes. They do not limit their attacks to the flocks of the immediate vicinity in which they are kept, but travel for miles in all directions, spreading destruction in the flocks with which they come in contact. Because their work is so often done under cover of darkness it is almost impossible to catch them in the act of worrying sheep; hence they can seldom be positively identified.

The ways in which different dogs attack and destroy vary greatly. Some dogs simply kill one or two in a flock, but others continue the attack until all the sheep are either destroyed or crippled. In many cases large numbers are killed although neither bitten nor wounded—simply chased until they die from exhaustion.

After a dog has once killed sheep it seemingly becomes a mania with him and he is seldom, if ever, broken of the habit. He not only destroys sheep himself, but leads other dogs to do so. No considera-

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<sup>1</sup>The 1922 issue of this bulletin was prepared by M. W. Call. This issue, by V. L. Simmons, presents changes of the digest of most of the laws herein cited, in accordance with the recent acts of the respective State legislatures.

tion should be given to such a dog. If additional losses from this source are to be avoided, the dog should be killed as soon as his habit is known.

#### DOG-PROOF AND WOLF-PROOF FENCES

The diagram of a fence constructed in such way as to be proof against dogs and wolves is shown in Figure 1. The Forest Service of the United States Department of Agriculture gives the following specifications for the fence:

The posts should be  $7\frac{1}{2}$  feet long, set  $2\frac{1}{2}$  feet in the ground, and 16 feet apart. Equally distant between these posts there should be a small post, about 3 inches in diameter, driven 6 inches into the ground. All wires should be stapled to this post, to prevent spreading. A barbed wire should be stretched flat to the surface of the ground; 3 inches higher, a 32-inch woven-wire fence with a rectangular mesh; 5 inches higher, a barbed wire; 5 inches higher, a second barbed wire; 6 inches higher, a third barbed wire; 7 inches above this, a fourth barbed wire; 2 inches above this strand of barbed wire, and held on offsets extending out 5 inches from the posts, should be another strand of barbed wire, giving a total height of 60 inches.

As dogs sometimes climb over fences which do not have the barbed wire set out parallel to the top wire, it is essential that this offset

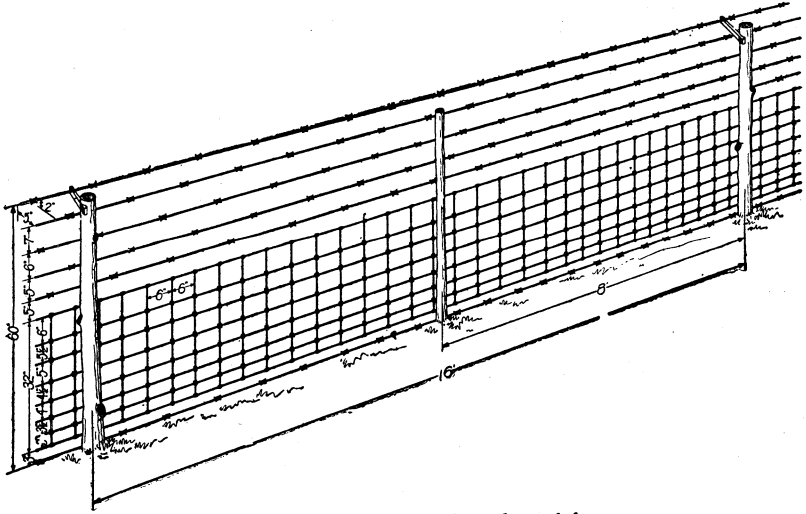


FIGURE 1.—A dog-proof and wolf-proof fence

be placed on the outside of the corral. It is also essential that the bottom barbed wire be stretched flat on the surface of the ground at all points. This is accomplished by grading the ground before the fence is built and by filling in the small holes afterwards. It has even been considered advisable by some people to place the bottom wire about 2 inches below the surface of the ground, as it is thought that this would be more effective in preventing animals from digging under the fence.

A 56 to 58-inch woven-wire fence with a barbed-wire offset at the top, as shown in Figure 2, is suitable for the protection of sheep from both dogs and wolves.

It is rather expensive to provide large tracts of land with the fences described above, and a sheep raiser who does not object to

placing his flock in a corral each night can greatly reduce his expense by inclosing a small area with either of these fences and placing his flock therein each night.

#### HOW DOG LOVERS CAN AID

The dog rightfully holds a strong place in the minds and affections of men. The owner of a good dog finds in him a most faithful friend. But sometimes the dog most highly esteemed is also one that kills and worries sheep and is most cunning in hiding the evidences of his guilt. A well-bred dog's habit of lying innocently asleep in the front yard during the day is no proof that it does not kill sheep at night. Because of the loss occasioned by sheep-killing



FIGURE 2.—A 56-inch woven-wire fence with barbed-wire offset at top of posts. This is an effective fence in turning dogs and wolves

dogs and because such dogs bring others of their kind into bad repute, the true admirers and friends of the dog should help to further any steps likely to result in the limitation of the activity of these discrediting members of a noble species. One of the most practicable methods of accomplishing this result seems to be to place upon dogs such a tax as will reduce the number of superfluous ones and result in fewer being kept by persons who can not or will not give them the attention necessary to prevent the formation of habits and associations that lead to sheep killing.

#### DOG LAWS

One of the most effective means of insuring a profit from sheep raising is to make and enforce laws against the sheep-killing dog.

Several States have passed laws which adequately protect livestock but in many of the States the present dog laws fail in their purpose. Failure may be caused by the nonenforcement of a good law already in existence, but more often it is caused by the nonexistence of a good law.

#### LAWS THAT ARE JUST AND WELL ENFORCED

Possibly the most important consideration to bear in mind in drawing up an effective dog law is to have a law that will command the moral support of the people. An unjust law does not have the support of the people, and without their support the officers will not enforce the law. A rather poor law that is well enforced may be more protection to the sheep owner than a good law whose enforcement is ignored by the people and the officers.

These facts have been borne out in some of the States which have enacted rather stringent dog laws. Some of these laws have not had the support of the people and have not been enforced by the officers. On the other hand, in several States where just dog laws have been enacted, the majority of the people are ready to support the law and as a result the officers have enforced them efficiently.

#### METHODS OF LEVYING AND COLLECTING TAX.

Many of the States now levy dog taxes directly through the legislatures, but there are still a number which empower cities and towns to tax dogs at their discretion. A State law which provides uniform restrictions on dogs throughout the State and which provides compensation for damages done by dogs has an advantage over local ordinances by regulating all dogs alike and giving the farmers compensation for damages done by dogs that may be kept in neighboring cities and counties. Fortunately, most of the States where dogs are taxed only by the cities and towns or by the counties are found in the western range section, where the dog menace to the sheep industry is not nearly so pronounced as it is in the farm States. In a very few of the farm States, however, it is optional with the cities and towns or the counties whether they tax and regulate dogs. Information from these States shows that such a method of regulating dogs is entirely unsatisfactory.

No general method is used by the States in collecting dog taxes. Many States assess and tax dogs with other property. This method enables the assessor to call personally on all the taxpayers, and it seems logical that a more complete list of dog owners can be obtained in this way. This is the case also when dog owners are required to visit the town clerk's office and present their dogs for registry. If the law levies a sufficiently high tax on dogs, the collection of the tax from every dog owner is one of the most vital points in assuring the success of the law.

#### IDENTIFICATION OF LICENSED DOGS

Some of the States do not require that licensed dogs be identified. In those requiring it they are usually identified on the registry books of the office issuing the license by a statement of the breed, sex, and age, and a description of the color markings. To the public they

are identified by a collar bearing a metal tag, on which is stamped the registry number of the dog, the year for which the license is issued, and the place of issue or the State issuing the license. Nearly all the States furnish such a tag when the dog tax is paid.

#### CONTROL OF DOGS

Many of the States in which the dog laws are most satisfactory require dogs to be under control at any time they are away from the premises of the owner. This is an excellent provision. It is especially necessary that dogs be confined between sunset and sunrise, unless under the control of the owner or keeper. Most of the damage by dogs is done at night, and it would seem that if such a provision of the law is effectively carried out the menace to the livestock industry would be materially curtailed. Well-bred dogs and dogs highly prized by their owners are usually kept confined voluntarily by their masters; consequently such a clause works no great hardship on the owners of such dogs.

#### DESTROYING THE SHEEP-KILLING DOG

With few exceptions, the State laws allow anyone to kill a dog caught in the act of chasing, killing, or wounding sheep or other livestock on land not owned by the owner of the dog. It is a provision which should be included in all State laws. Other conditions under which some of the States permit such dogs to be killed by anyone are:

When found at large unattended and without a collar bearing the license number.

When found at large after having been proved to be sheep killers.

When found at large and unattended between sunset and sunrise.

Many States have laws making it a misdemeanor, punishable by fine or imprisonment, to keep a dog which is known to have killed sheep or other livestock.

#### COMPENSATION TO SHEEP OWNERS

The more recent laws provide for compensating the sheep owner from the dog-tax fund for losses caused by dogs.

Information gathered from the different States indicates that this is a very necessary provision of a desirable dog law, as it insures the sheep owner against severe financial loss in case dogs should kill a large part of his flock. This insurance has had a noticeable effect in a few States in inducing men to take up sheep raising. Damages are generally appraised by two or three disinterested persons appointed by a justice of the peace and residing in the locality where the loss has been sustained. In appraising the damage it is desirable to allow the full value for the animals killed and also adequate damage for animals which may have been injured.

Practically all the States hold the dog owner liable for damages done by his dog. While this is a good clause, it should not supplant compensation by the State. The dog owner should be held liable to the State for damages paid out by the State. To one unfamiliar with the workings of dog laws it may seem that holding the dog



owner liable is an effective method of protecting the flockmaster, but it must be remembered that in very few instances is it possible to ascertain the owner of the dog which has done the damage. Without compensation from the State the sheep owner has small protection from the dog nuisance. Some of the State laws provide for the payment of damages only once a year and for prorating the damages if the dog-tax fund is insufficient to allow for full compensation. The danger of having to prorate the amount paid out can be eliminated by increasing the dog-tax fund or by making other funds available for payments of damages in case the dog-tax fund is insufficient.

#### UNIFORM STATE DOG LAWS

It is believed that similar laws for all States, so enacted and enforced as to prevent damage to flocks by controlling and limiting the number of dogs and at the same time allowing the farmer greater leeway in protecting his flocks, will go far toward encouraging sheep raising and bringing about a proportional increase in the number of sheep. With this in view, an outline for a suggested dog law, combining parts of various State laws with some added features intended to give the sheep owner the benefit in cases where proof of facts is difficult, is here presented. This is not the text of a complete dog law that will fit conditions in all States, but is intended as a suggestion which may be helpful in the preparation of future State dog laws.

#### OUTLINE FOR A SUGGESTED STATE DOG LAW

All dogs over 4 months old to be listed by the county tax assessor<sup>2</sup> at the time of listing other taxable property.

Tax to be as follows:

One male or spayed female.....	\$2
Each additional male or spayed female.....	3
Each unspayed female.....	5

Kennel licenses to be issued with restrictions.

Dog owners to pay their dog tax and obtain a dog license at the same time other taxes are paid, unless proof is furnished that proper disposal has been made of the dog.

Counties to furnish a metal tag bearing the registration number of the dog.

Provide for the impounding and, after a reasonable term of impoundment, the humane destruction of dogs found at large without collars bearing license tags.

All dogs confined from sunset to sunrise unless under leash or under reasonable control of their owners.

Dogs found at large between sunset and sunrise to be impounded and owner notified. Owner to regain custody of dog on paying a fine for violation of the law.

Any dog, licensed or unlicensed, may be killed by any one when caught in the act of chasing, worrying, injuring, or killing sheep (or other domestic animals or poultry). Dog owner to have no recourse for the killing of the dog.

Any dog found running at large on the inclosed lands of a person other than the owner of the dog may be killed at the time of finding him by the owner of the land, his agent, tenant, or employee.

Stock owners suffering losses from dogs to report the same to the local justice of the peace. Justice of the peace to appoint a committee of two or three disinterested farmers, residing in the locality where the loss has been incurred, to appraise the damages. Committee to give the sheep owner a certificate showing in detail the nature of the damages and the indemnity. Damages

<sup>2</sup> A more complete list of dog owners is obtained in this way than when the dog owners are depended on to list their dogs.

beyond the value of the sheep actually killed outright should be allowed. The sheep owner may then present the certificate to county commissioners to be passed on at the next session.

Compensation to be taken from money derived from the dog tax. Access to be had to a designated State fund if dog-tax fund is insufficient to pay all claims.

Dog owner to be held liable to the county for all money paid out by the county for damages done by his dog, plus all costs of suit.

Owner of a dog known to kill sheep to be required to kill, or cause to be killed, such dog, within 48 hours after notification, under penalty of \$5, and \$1 a day thereafter until the dog is killed.

Sheep owner to be allowed to set out poison on his farm if he gives public notice of same.

Enforcement of the law to be the duty of every police officer in the State, under penalty of a fine for failure to perform duty. State to furnish sufficient assistance, if necessary, to carry out all the provisions of the act.

Ignorance of such laws as do exist is often accountable for the lack of attention they receive. The suggestion is offered that publicity be given the State dog law, so far as possible, in newspapers and farm journals. It may also be advisable for sheep breeders' and wool-growers' associations to prepare mimeographed copies of the important features of the State law and make arrangement for the distribution of this information to all dog owners and sheep owners.

#### DIGEST OF EXISTING STATE DOG LAWS

For the guidance of all those who are interested in promoting legislation against sheep-killing dogs a digest of the existing dog laws of each State is presented herewith. This résumé does not set forth every item of the laws but features the more important clauses which are related to the operation of the law and to the protection of sheep.

#### ALABAMA

Code of 1923

The owner of any dog may cause his dog to be registered by the judge of probate. At the time of registration the dog owner must pay a fee of 25 cents and a tax of \$1, and then receives a certificate of registration from the judge of probate. All taxes collected under this provision are appropriated to the use of the public schools in the county where collected.

It is unlawful for any person to keep any dog which has been known to kill or worry sheep or other stock. Any person knowingly keeping such a dog is liable for double the value of all stock killed or injured by the dog, which damages may be recovered by the owner of the stock before any court of competent jurisdiction. Any dog owner who allows a dog, known to kill or worry sheep, to run at large is subject to a fine of not less than \$5 nor more than \$50. All dog owners are required to confine their dogs to the limit of their own premises, except when the dogs are accompanied or under control of the owner or keeper. Failure to do this is a misdemeanor and punishable by a fine of not less than \$2 nor more than \$50. Dog owners are liable for damages done by dogs when off the dog owner's premises. It is unlawful for anyone knowingly and willfully to allow any dog which is rabid, or has been bitten by a rabid dog, to run at large within six months thereafter. Any owner of such a dog which bites any person or livestock is liable for twice the damages sustained by the person injured.

#### ARIZONA

Revised statutes of 1901, code of 1913, and laws of 1921

The owner or keeper of any male dog, 4 months old or over, within 1 mile of the post office of any town of 1,500 population or more, is required to pay a fee of \$1 and \$2 for a female. The constable of each precinct lists the dogs. Licensed dogs are required to wear a collar bearing a metal tag with the cur-

rent year stamped on it, and the law requires that all dogs found at large without collars and tags be killed.

The owner of any dog shall be liable under civil action for all damages that may occur to any person by reason of such dog's killing, wounding, or chasing any sheep or calves belonging to such person.

Moneys derived from the dog tax are used toward the public-school fund. Cities and towns may also impose a license tax and adopt ordinances restricting dogs running at large.

#### ARKANSAS

Enacted in 1887, from statutes of 1916, and from code of 1919. Amended in 1924 and 1929

The owner of any dog, over 4 months of age, is required to list the same for taxation and to pay a license tax of \$1 a year. Dog owners are held liable for damages to livestock owners to the full value of animals killed.

The dog-tax fund is held by the county treasurer to reimburse owners of livestock who suffer losses by dogs whose ownership can not be determined. Any person suffering loss of livestock must make affidavit before the justice of the peace concerning the damages and stating that he does not know whose dog caused the damages. The justice of the peace then appoints three freeholders to investigate the claim, and if found just it is paid from the dog-tax fund. Any money remaining in this fund at the end of each year is transferred to the county-road fund. In about half of the counties the tax goes to the school fund in the district from which it is collected. Any person who knowingly harbors an unlicensed dog is guilty of a misdemeanor. Officers are required to kill all unlicensed dogs. Licensed dogs are given the same protection as other livestock. Any municipal corporation has the power to levy a dog tax in addition to the State tax.

This digest applies to 34 counties in the State of Arkansas, the 1929 legislature having repealed all dog-tax laws so far as they refer to the other counties in that State.

#### CALIFORNIA

Statutes of 1903. Enacted in 1921

It is unlawful for any dog to run at large unless supplied with a substantial collar with a metal tag bearing the name and address of the owner, or with a metal license tag issued by the county or city or other municipal corporation.

It is unlawful to permit any dog to trespass on premises, where livestock are kept, without the consent of the owner of the premises. The owner of any premises may seize and detain any dog found straying on such premises, provided livestock is kept. Anyone may kill any dog found chasing or injuring livestock or poultry within an inclosure. On filing a petition therefor, signed by 25 electors who are livestock owners, it becomes the duty of the county board of supervisors to provide for the annual issuance of dog-license tags. The county clerk issues tags to dog owners on payment of a fee of 50 cents. The board of supervisors must also provide for the taking up of all dogs not licensed. The owner of any dog which is seized is notified, and on payment of the fees which have been determined by the board of supervisors he may reclaim the dog. If the dog is not claimed within three days, it is to be killed in a humane manner.

Any person violating any provision of this act is subject to a fine of not less than \$25 for the first offense and not less than \$50, or imprisonment in the county jail for 10 days, or both, for the second offense.

Any owner or harbinger of any dog which shall kill, wound, or worry any sheep, Angora goat, Cashmere goat, or poultry is liable to the owner of the same for damages. It is not necessary that the owner of such dog know that such dog would kill, wound, or worry sheep, goats, or poultry. Any person on finding any dog or other animal not on the premises of the owner of such dog worrying, wounding, or killing any sheep, or Angora or Cashmere goat, may at the time of finding the dog or other animal kill it, and the owner of the dog shall sustain no action for damages against any person so killing the other animal. All fees from the issuance of license tags and fines collected under this act are placed in the county treasury in the livestock indemnity fund. The money is used for the purpose of carrying out the provisions of the law and to reimburse livestock owners who suffer losses by dogs. Within

48 hours after losses of livestock caused by dogs the livestock owner must file a claim, verified by the affidavits of two disinterested witnesses who shall fix the amount of the damage. This claim is paid from the county fund in the same manner as other claims are paid.

#### COLORADO

Compiled laws of 1921

Any dog found worrying or injuring sheep or cattle may be killed, and the owner or harbinger of such dog shall be liable for all damages done by it.

#### CONNECTICUT

Amended in 1911, 1919, 1921, and 1923. Public acts of 1925 and 1927

Every owner or keeper of a dog of the age of 6 months or over, except dogs kept under a kennel license as provided in section 9 of this act, shall, on or before the first day of May, or at such time as such dog shall become 6 months old, and in each year thereafter, cause such dog to be registered, numbered, and described so as to identify the dog clearly, and licensed until the first day of May following, in the town clerk's office in the town where such dog is owned or kept, and shall pay to such town clerk for a license for a year, the sum of \$1.75 for each male or spayed female dog and the sum of \$10 for each unspayed female dog, and 25 cents additional in each case for issuing such license and a tag.

Selectmen of towns and the chief of police of each city shall appoint annually a dog warden for the term of one year from April 1. The dog warden shall make diligent search and inquiry for violation of the dog law and may impound any dog found without collar with tag or plate attached. Such impounded dogs if not redeemed by the owners shall be mercifully killed. Unredeemed male or spayed female dogs may be sold by the dog warden for not less than \$5.

When any person shall sustain damage by dogs to his sheep, lambs, goats, kids, horses, hogs, cattle, or poultry (poultry shall mean all domestic fowls, and any pheasants or other game birds securely confined and owned for propagation) and Belgian hares, while such hares are kept in an inclosure, the owner shall give any information to the selectmen of the town in which such damage was sustained within 24 hours after he shall have knowledge of the same and thereupon one of the selectmen of such town with a person, to be named by the person sustaining the damage, shall estimate the amount of the damage.

The amount of the damage estimated shall be paid by the town and it may recover the amount when paid with compensation for the appraisers from the owners and keepers or harborers of the dogs. If, in the opinion of the selectmen, the damage shall exceed the sum of \$50, they shall within 5 days, report the same to the commissioner for investigation and may call on the commissioner to assess the damage, and if the damage shall exceed \$100 it shall be assessed by the commissioner on domestic animals.

Any owner or the agent of any owner of any domestic animal may kill any dog which he may find pursuing or worrying any such domestic animal or which he shall find straying on any farm where any sheep or lambs are kept, provided that no dog straying on such farm, which dog is owned or kept by the occupant of any premises adjoining the farm or adjoining any highway which adjoins the farm, or any dog which is securely muzzled or is accompanied by or within reasonable call of any person having charge of the dog, shall be killed unless there is reasonable ground for apprehension that such dog if not killed will pursue, worry, or injure sheep or lambs on such farm.

The commissioner is authorized to kill any dog infected with rabies, and to enforce all laws relating to dogs which provide for the imposition of a penalty, and to enforce all rules and regulations made in pursuance of this act. Said commissioner may appoint such special deputies as may be necessary to insure, subject to his direction, the enforcement of rules and regulations made by him under the provisions hereof. The expenses incurred hereunder shall be paid from funds in the custody of the State treasurer which have been received from dog licenses.

## DELAWARE

Laws of 1925 and 1927

It is the duty of every person of the State of Delaware outside of the corporate limits of the City of Wilmington, owning or harboring a dog on his premises, over 4 months of age, to pay on or before the first day of March of each year a license tax of \$1 on such dog to the board of game and fish commissioners of the State. Such license tax is due and payable on the first day of January and must be paid in addition to any or all other tax or taxes imposed on or on account of any such dog or dogs by any city or town ordinance. Any person maintaining a kennel may pay a kennel tax of \$10, which entitles him to keep therein not more than 12 dogs belonging to himself or in training for others, or he may pay a kennel tax of \$15, which entitles him to keep in the kennel as many dogs, belonging to himself and in training for others, as he desires. All kennel dogs must be kept confined unless accompanied by owner or keeper. On payment of tax the dog owner receives a dog license and a metal license tag. The tag must be attached to a substantial collar and be worn by the dog at all times. It is unlawful for any person to permit any dog to run at large at any time without a license tag.

It is unlawful to allow any dog to run at large anywhere in this State between the first day of March and the first day of October, next following, in each year, unless accompanied by the owner or custodian and under his or her immediate control. The owner or custodian of every dog shall at all times between the hours of sunset and sunrise of each day keep such dog either (a) confined within an inclosure from which it can not escape, or (b) firmly secured by means of a collar or chain or other device so that it can not stray from the premises on which it is secured, or (c) under the reasonable control of some person or when engaged in lawful hunting accompanied by the owner or custodian.

All licensed dogs on which license tax is not delinquent are deemed personal property and may be the subject of larceny and malicious or unlawful trespass, and the owner thereof may maintain any action for injury thereto, or unlawful detention thereof, as in the case of other personal property. Any person taking or stealing any dog, the property of another, on which taxes are not delinquent, shall be guilty of a misdemeanor punishable by fine. Any unlicensed dog running at large at any time may be killed by any police officer, constable, or game warden. Any person may kill an unlicensed dog which he sees worrying or wounding livestock or attacking human beings. It is unlawful for any person except a police officer to place any poison in any place on his premises or elsewhere, where it may be easily found and eaten by dogs.

The owner or custodian of any dog or dogs shall be liable in a civil action to the owner of any livestock or poultry for all damages suffered by such livestock or poultry from any dog or dogs. Any person or firm having livestock or fowls killed or injured by any dog shall be entitled to receive compensation at the assessed value of the stock and the fair value of such fowls out of the funds derived from the sale of dog licenses, on proof to the board of game and fish commissioners of the amount of damages suffered. Any person violating any of the provisions of this act is guilty of a misdemeanor and on conviction is subject to a fine of not less than \$5 nor more than \$50 for each offense and on failure to pay such fine and costs shall be imprisoned for a period not exceeding 10 days.

## FLORIDA

Compiled general laws of 1927

The city and town councils are empowered to license and restrict the running of dogs at large. Owners of dogs are liable for any damage done by their dogs to sheep or other domestic animals or livestock. It is unlawful for any dog known to have killed sheep to roam about the country unattended by a keeper. Any such dog found roaming over the country unattended shall be deemed a run-about dog and it shall be lawful to kill such dog. Any person owning or having under his control any dog or dogs which said person knows to have injured or killed or to be in the habit of injuring or killing sheep belonging to other persons, and who knowingly permits such dog or dogs to run at large is subject to a fine not exceeding \$50 or imprisonment not exceeding 30 days. No provision is made for the compensation to sheep owners who suffer loss other than making the dog owner liable.

## GEORGIA

Code of 1914, enacted in 1918, codified from acts of 1865-66 of general assembly

If any dog, not being at the time on the premises of the owner or person having charge thereof, shall kill or injure any livestock, the owner or person having such dog in charge shall be liable for the damage sustained by the killing or maiming of any livestock and full cost of suit.

All dogs are made personal property and must be given in and taxed as other property of the State is given in and taxed. Such tax is to be enforced by levy and sale, as other taxes are collected, and is not to interfere with the imposition and collection of any municipal tax on dogs. Dog owners are liable for damages and for full cost of suit for injury done to livestock.

## IDAHO

Amended in 1919. Session laws of 1927

The county commissioners are empowered to establish an order requiring all owners of dogs, over 6 months old, other than those belonging to residents of a municipality within the county which has enacted and is enforcing a dog-license law, to pay an annual license of not more than \$2 for each male dog and each female that has been spayed, and not more than \$3 for each female dog that has not been spayed. This tax is to be paid not later than 60 days from date of meeting at which order is voted. When an owner keeps dogs for breeding or commercial purposes he is entitled to a kennel license, covering 15 dogs, for \$5. The dog license is paid to the county assessor. The proceeds thereof shall be paid into the general fund of the county.

No dog is permitted to go at large within the county without having a collar about its neck with a license tag or disk attached bearing the number of the license issued by the county. After 60 days from the date of adoption of this measure the county sheriff has the authority to seize, kill, and properly bury any and all dogs running at large without a collar to which is attached a license tag, and also all dogs, wearing collars with license tags and running at large in the county, on which the owner has failed to obtain or renew the annual license. It is the duty of the sheriff to notify the owner, who may recover the dog on payment of license fees and costs. The owner or keeper of any dog that kills or injures sheep is liable to the owner for the damages and costs of suit. A person who negligently allows any dog, owned or harbored, to roam about when not under the care and control of a competent and responsible attendant, is guilty of a misdemeanor. Any person finding any dog off the premises of its owner, killing, wounding, or worrying sheep may kill the dog at the time of finding him. The law provides further that any city or village may impose a dog tax of not less than \$3 nor more than \$10 and may destroy a dog whose owner refuses to pay such tax.

## ILLINOIS

Amended in 1923, 1925, and 1927

Dog owners are required to take out a license for each dog owned and to pay the required license fee. Dogs are listed by the county assessors and taxed as other personal property. The assessor collects from each dog owner, at the time the dogs are listed for assessment, a license fee of \$1 for each male or sterilized female dog, and \$3 for each unsterilized female dog. Owners of dogs kept in kennels for breeding or other purposes must pay a kennel license fee of \$10 for 20 dogs or less, and \$5 for each additional 20 dogs or fraction thereof. All license fees collected are turned into the county treasury and deposited in a fund known as a county dog-license fund. The assessor issues to the owner of each dog or kennel a license and a metallic tag for each dog licensed. All dog owners or keepers of dogs must keep a substantial collar around the dog's neck and keep the metallic tag attached.

The owner or keeper of any dog is liable for all damages to sheep and if damages do not exceed \$200 they may be recovered before a justice of the peace. Any dog found trespassing on the premises where the sheep are kept, and not accompanied by owner or keeper, may be killed. Any dog discovered in the act of chasing sheep or in a condition showing that it has been recently engaged in killing sheep, may be immediately killed by anyone. Sheep owners

may, in the exercise of reasonable care, put out poison on their farms to kill sheep-killing dogs.

Money collected as dog tax is put into the county dog-license fund and used to pay damages done to domestic animals by dogs. The owner of the sheep who suffers damages appears before a supervisor in counties under township organization and before a magistrate in counties not under township organization, and makes affidavit as to the extent of his losses. The damages must be proved by at least two witnesses who are freeholders of that county. Recovery of damages from the county is possible only when the dog owner is unknown or is insolvent, but a payment of damages by the county does not bar the sheep owner from recovering damages from the dog owner. The amount of damages paid by the county shall not exceed \$15 a head for sheep killed or injured. If there is insufficient money in the fund to pay all claims the available money is prorated.

#### INDIANA

##### Acts of 1927

Dogs are listed by the township assessor, and the dog owner pays immediately to the assessor \$1 for each male dog or spayed female dog, and \$3 for each unspayed female dog, and \$5 for each additional dog, male or female, owned, harbored, or kept on the same premises, whether owned by proprietor or some other person. Dogs under 3 months of age are exempt from this tax. It is unlawful to keep an unlicensed dog and any person guilty of this, on conviction, shall be fined in any sum not less than \$5 nor more than \$20. The board of commissioners of any county, at the January session of each year, may make an order fixing the rate of dog tax or dog-license fees in the county for the ensuing year. Any person acquiring, owning or keeping any dog after the assessor has completed his assessment, must report such dog and pay to the township trustee of his township the amount of the dog tax. Every person liable to taxation in any township and residing therein when listed for taxation must make and subscribe to an oath to the township assessor, regarding the number of dogs owned or kept by him. Anyone making a false statement to the assessor regarding his dogs shall be punished, on conviction, as in the case of perjury. All money derived by the taxing of dogs by the township assessor shall constitute a fund known as the dog fund and shall be used for the payment of damages sustained by owners of livestock. The livestock owner reports his loss within 10 days to a township trustee and makes affidavit for losses, supported by two witnesses who are freeholders of the township.

Any person who makes any false statements of such damages is liable, on conviction, to a fine of not less than \$25 nor more than \$100, to which may be added imprisonment in the county jail for any term not exceeding six months. The damages must not exceed the actual cash value of the livestock. No person shall receive pay for livestock damaged by any dog owned by himself. The distribution of funds is made only once a year and if the balance on hand is insufficient to satisfy all the claims presented, the money is prorated. If more than \$100 remains in the dog-tax fund of the township on the first Monday of March of any year it is turned over to the county treasurer, to be used to settle livestock losses by dogs in other parts of the county. If there is a surplus remaining in the county dog-tax fund after all claims are paid for the year, the remainder of the money is turned over to the county school fund.

#### IOWA

##### Amended in 1927

On or before January 1 of each year the dog owner must apply to the county auditor for a license. A fee of \$1 is required for each male or spayed female and \$3 for each unspayed female. The money received is placed in the domestic-animal fund. Sheep owners (and also owners of any other domestic animal or fowl) suffering losses by dogs may recover damages from the county. Losses are to be reported within 10 days to the board of supervisors and must be verified by two witnesses. The board authorizes payment or disallows payment of damages within a reasonable time. Payments are made annually and the dog fund is prorated if insufficient. The board of supervisors has the power to increase the license fee on dogs to a sum not exceeding \$3 for each male and

not exceeding \$5 for each female dog, if the domestic-animal fund will not produce sufficient funds against it in any county in any one year. After January 1 each year it is the duty of all police officers to kill any dog found without a collar and tag. Any person may kill any unlicensed dog or any dog found worrying or killing domestic livestock or fowls or attacking or attempting to bite any person.

#### KANSAS

General statutes of 1915

Dogs 3 months old and over are listed by the assessor. Males and spayed females are taxed \$1 and unspayed females \$2 each. The taxes are collected the same as other taxes. Cities are also empowered to tax and restrict dogs. If the keeper of a dog disclaims ownership, he may avoid the dog tax by killing the dog in the presence of the assessor. The 1911 law makes the dog owner liable for damages done to sheep, damages to be recovered in court by the sheep owner. The law of 1868 legalizes the killing of any dog when found worrying or injuring sheep.

#### KENTUCKY

Enacted in 1918. Amended in 1920

Annually on or before January 1 every dog owner must obtain a license from the county clerk by the payment of \$1 for the first male dog and \$2 for each additional male, and a fee of \$2 for the first female dog and \$4 for each additional female.

A kennel license may be obtained by the payment of \$10 for 10 dogs or less and \$25 for over 10 dogs. A metal tax tag is furnished the owner, which must be worn by the dog at all times. The county clerk keeps an accurate record of all dog-license fees received by him. The money is placed in the county fund to be used in enforcing the dog law and in paying for damages caused by dogs. The county tax commissioners must make a list of dogs owned or harbored by any person and must furnish copies of same to the county clerk and the commissioner of agriculture before December 31 of each year. It is the duty of the county officers to seize any dog running at large and to notify the owner. If the owner fails to reclaim the dog within 10 days it shall be sold or destroyed in a humane manner. Mad dogs and those which have killed sheep are to be killed by officers upon the order of a local justice of the peace. Any person who shall prevent the killing of such a dog shall be fined \$5 for every day he so offends. Officers are subject to a fine of from \$5 to \$20 for each failure to perform their duty as outlined in this act. Any person may kill any dog caught worrying or wounding livestock or any dog found trespassing on his premises while unaccompanied by owner or keeper. Any dog found running at large between sunset and sunrise may also be killed. Any person suffering losses of livestock or poultry by dogs may make complaint to the county judge or justice of the peace. Two resident landowners are appointed to investigate and determine the amount of damages. The amount allowed is paid from the county funds. If the owner of the dog, causing such damage, is determined he is liable to the county for the full amount of damages paid. Any money remaining in the dog-tax fund after all charges are paid is turned into the school fund.

#### LOUISIANA

1910. From revised statutes of 1915, and amended in 1918 and 1920

The dog owner is required to apply to the sheriff of each parish for a license tag and to pay a fee of \$1 for each male dog and \$2 for each female dog. It is unlawful for a person to permit any dog in his possession to run at large on land belonging to another. Any person may kill an unlicensed dog found at large, or a licensed dog which is found injuring or killing livestock. The officers of the parish are required to seize any dog found running at large and impound it. Notice is sent to the owner of the dog and the dog may be reclaimed by the payment of a fee of \$1 and an additional charge of 25 cents for each day the dog has been impounded. If not claimed within seven days the dog is to be killed in a humane manner. The money derived from the dog tax is turned over to the parish road fund. A dog owner is liable to a sheep owner for 10



times the damages caused to sheep. Any person knowingly keeping a sheep-killing dog is liable to a fine of \$25 or 30 days' imprisonment, or both.

#### MAINE

Act of 1909. Amended in 1923

Tax assessors list all dogs. Owners must register their dogs with the town clerk. The tax is \$1.15 for a male or a spayed female and \$5.15 for an unspayed female; kennel license, \$10.15. Dogs must at all times wear a collar showing the name of owner and the dog's registry number. All dogs not licensed are to be killed by police officers. Whenever any sheep, lambs, or other domestic animal, poultry not included, owned by a resident of this State are killed or injured by dogs, such owner may make complaint thereof to the mayor of the city, or to one of the municipal officers of the town or plantation where such damage was done, within seven days after he has knowledge of the same, and thereupon the municipal officers shall investigate the complaint; and if satisfied that the said damage was committed by dogs within the limits of their city, town, or plantation, they shall estimate the damage thereof according to the full value and 50 per cent additional, for the purpose for which they are kept, whether as breeders or for other purposes, and direct that the same shall be paid from the town treasury. The town has right of action against the dog owner to recover the amount so paid out. Any person who keeps a dog that kills or injures sheep or lambs is subject to a fine of from \$50 to \$100, unless the dog is killed before the case is closed. If the dog owner is unknown, the State reimburses the owner of the sheep. Any sheep owner or person who has the custody of sheep has a right to kill any dog attacking his sheep. Any person having evidence of any dog worrying, wounding, or killing any domestic animal or fowl, when the dog is outside of the immediate care of his owner, may present his evidence to any trial justice, judge, or recorder of any municipal court, which said trial justice or recorder shall have power to issue a warrant against the owner of said dog, ordering him to appear before him and show cause why the dog should not be killed, and on hearing the evidence in the case the court may order the dog killed.

#### MARYLAND

Amended in 1918 and 1920

Before July 1 of each year the dog owner is required to obtain a dog license by payment of a fee of \$1 for each male or spayed female and \$2 for an unspayed female. A kennel license may be obtained by the payment of a fee of \$10 for less than 25 dogs or \$20 for more than 25 dogs. The license may be obtained from the county clerk, justice of peace, or special constable, and these officials must furnish the dog owner with a license tag to be worn by the dog at all times. The funds received are turned over to the county treasurer and are kept in a separate account.

Any livestock owner suffering losses by dogs must make complaint to the local justice of the peace, who appoints three disinterested persons to appraise the damages. The damage approved is paid out of the county dog-tax fund. If the owner of the dog causing the damage is known, he is notified to kill the dog. If he refuses, he then becomes liable to the county for the full amount of damages caused by the dog. Any person may kill any dog found worrying or killing livestock or poultry. Any unlicensed dog found trespassing on any person's premises may be killed. Any person refusing to comply with any provision of the act is subject to a fine of not less than \$5 nor more than \$25, and not over 30 days in prison, or to both fine and imprisonment. It is the duty of the State attorney and the sheriff and constables of the county to prosecute all persons found guilty under this act.

#### MASSACHUSETTS

Laws of 1920

Before March 31 of each year the owner or keeper of a dog over 3 months of age must get a license for same by paying to the town clerk a fee of \$2 for each male or spayed female and \$5 for each female.

A kennel license can be obtained by the payment of \$25 for five dogs or less and \$50 for over five dogs. After July 1 of each year officers are appointed to kill all unlicensed dogs. Any person may kill an unlicensed dog or any dog found chasing or injuring livestock. It is unlawful to poison any dog. Any person suffering losses of livestock by dogs may report the loss to the town officials. The claim is investigated by a committee of three persons. The amount of damages determined by this committee is paid to the livestock owner from the county-tax fund. If the ownership of the dog causing damage is determined, the owner of the dog is liable to the county for the amount of damages paid. Towns may further tax and regulate dogs, but must not add more than \$1 for each license fee.

#### MICHIGAN

(See act of 1919, amended in 1921, 1925, and 1927, page 27.)

#### MINNESOTA

General statutes of 1923

The city common councils are empowered to license dogs, to restrain them from running at large and to authorize the destruction of same in a summary manner. Dog owners are liable to owners of domestic animals for damages done by their dogs, even though the dog owners are unaware of the dog's bad habits. Persons knowingly keeping a dog which has bitten any domestic animal are liable to a fine of \$5 a day for every day that the dog is kept on such person's premises thereafter. Any dog found injuring or worrying sheep may be killed by any owner or caretaker of sheep, and any owner of sheep may kill any dog found on his premises where sheep are kept, if not under the restraint or control of his owner or other person.

#### MISSISSIPPI

Enacted 1910, amended in 1928, code of 1927

The board of supervisors of each county may by an order at any regular meeting prior to its February meeting of each year, by a majority vote, discontinue the levy of a dog tax. The tax can not then be levied again unless 20 per cent of the qualified electors of the county shall petition the board to call an election to levy such tax, at which election a majority vote must be received. The annual dog tax is \$1 for males and \$2 for females. The dogs are recorded by the tax assessor and the taxes collected are used for the repair and improvement of public schoolhouses of the counties. Every dog in counties requiring a license must wear a collar bearing a metallic plate on which is the name and address of the owner. It is unlawful for any person to harbor or keep any dog on his or her premises on which the required tax has not been paid, and on conviction such person is subject to a fine of not less than \$5 nor more than \$50. Any person who knowingly fails or refuses to give to the assessor the correct number of dogs he or she owns or keeps or who refuses to pay the tax levied, is guilty of a misdemeanor, punishable by fine.

If any dog shall kill any sheep, lamb, or kid, the owner of the dog must pay to the owner of the sheep, lamb, or kid, \$3 for each one so killed. Any dog in the act of chasing or killing sheep may be killed by any person and such person is not liable to the owner of the dog.

#### MISSOURI

Revised statutes of 1909 and laws of 1921

The municipalities are empowered to tax dogs at their own discretion. If sheep or other domestic animals are killed by dogs, the owner of the stock so lost may recover against the owner of the dog the full amount of the damages, and the dog owner must kill the dog or forfeit \$1 for every day he refuses to do so. In order to recover damages for sheep killed by dogs it is necessary to allege and prove that the owner of the dog knew of his vicious character. A person has no right to put poisoned meat on the premises to kill dogs merely

trespassing; but if the dogs have killed his sheep, he has the right to poison them.

Under the laws of 1921 it is the duty of the assessors to ascertain the number of dogs owned. For each male dog over 6 months of age the license fee is \$1 and for each female \$3, payable to the county clerk. The money collected, less the expenses incurred, is placed in a separate fund to be used as a county road-dragging fund. It is the duty of the town marshals and township constables to seize and impound any dog found running at large without collar and license tag. The owner may redeem such dog within a week by the payment of a fee of \$5, and if not redeemed the dog is to be killed at the end of this period. Any one may kill any dog found worrying livestock. It is a misdemeanor for a person to kill a licensed dog unless found injuring livestock. This law provides further that upon the filing of a petition signed by 100 or more householders of any county it shall be the duty of the county court to bring the question of adopting or rejecting the dog law before the voters of the county at the next general election. The returns of this election determine whether or not the law will be operative in this county.

#### MONTANA

Act of 1903 and revised code of 1921

Municipalities are empowered to tax dogs at their discretion and to restrict them from running at large. The law makes it a misdemeanor for a dog owner to allow his dog to chase on the public range any livestock which does not belong to himself. The penalty for such misdemeanor is a fine not to exceed \$50.

#### NEBRASKA

Reenacted in 1919

Dogs are considered as personal property. The municipal authorities of the counties, cities, towns, and townships are empowered to impose a tax of not more than \$5 on each dog. Any person may kill any dog found doing damage to any domestic animal except dogs. Anyone having reasonable grounds to believe that a dog has been killing, wounding, chasing, or worrying sheep may kill such dog. Every dog must wear a collar bearing a metal plate on which is inscribed the name of the owner. It is lawful to kill any dog found at large without such collar. Dog owners are liable to stock owners for damages done by their dogs and are also subject to fine for allowing the dog to damage stock. The damages, however, must be obtained through an action brought in court against the owner. Funds raised through the taxation of dogs are in most cases to be used for compensation for damages done to stock by dogs, but in certain of the larger cities the dog fund is turned over to the city treasurer to be used as the council directs.

#### NEVADA

The revised laws of 1912

City councils are empowered to tax dogs and to regulate the destruction of all unlicensed dogs. A heavy fine is imposed on anyone who keeps a vicious dog. It is unlawful to poison any dog intentionally, or to steal any dog belonging to another person.

#### NEW HAMPSHIRE

Public laws of 1926

All dogs over 3 months of age are to be taxed. The tax on males and spayed female is \$2 and on unsplayed females \$5. Each dog is required to wear a collar bearing the owner's name and the registry number of the dog. No "self-hunting" dogs are allowed to run at large "in woods or fields inhabited by game birds or quadrupeds or on lands where sheep are pastured between April 1 and December 1 of any year." Dogs that will hunt or pursue deer or sheep shall not be permitted to run at large unaccompanied by their owner or keeper. When a dog is discovered "pursuing or harassing" sheep "or injuring any domestic creature," notice is given the owner of the dog and on second or any subsequent offense the dog owner may be fined \$5. A dog found out of the care

of its owner, wounding, worrying, or killing sheep may be killed by any one. Sheep owners may recover damages done to sheep from the "town or city wherein such damage was done." Towns may make additional regulations.

#### NEW JERSEY

Laws of 1922. Amended in 1926

Every person keeping a dog, above the age of 6 months, in any of the taxing districts, must pay an annual tax of \$1, and for every additional dog the sum of \$2. This does not apply to tax districts in which there are dog ordinances in force. Every person who refuses or willfully neglects to deliver to the assessor a true account of dogs owned or kept is subject to a penalty. Dog owners in municipalities are required to register their dogs with the town clerk and to place on the neck of each dog a collar bearing the registration number. Any dog found running at large without a collar may be impounded by the chief of police. It is lawful for any person to destroy humanely any dog found wounding or destroying any sheep. Any person owning a dog which has been found killing or worrying livestock must kill the dog within 24 hours or be liable to a fine of \$10 and for all damages done by the dog. Any taxing district or municipality may pass an ordinance providing that the money received from dog licenses may be used for the payment to owners of sheep and other livestock for damages done by dogs. Any person sustaining damage to livestock may take two freeholders of the taxing district wherein such damage occurred to view and return a certificate of the damages done. If properly verified, the certificate entitles the person suffering damages to compensation from the dog-tax fund. The municipality may bring suit against the owner for recovery of amount of damages allowed by them.

#### NEW MEXICO

Codification of 1915

The State law requires all cities, towns, and villages to collect a tax of \$1 on each male dog and \$2 on each female for municipal purposes. A fine of \$10 is imposed on persons who keep a dog and do not pay the tax. A sheep owner has a right of action on the owner of a sheep-killing dog, and the dog must be killed by its owner. Each municipality is required to make ordinances regulating the running at large of dogs. No one is allowed to keep a sheep-killing or a vicious dog.

#### NEW YORK

Act of 1929

Every person owning or harboring a dog must make application for a license to the clerk of the town or city, or, in the counties of Westchester and Nassau, to the clerk of the incorporated village in which the dog is harbored or kept. Licenses are not required for dogs under the age of 6 months which are not at large. The dog owner must pay to the clerk at the time of making application a \$2 license fee and 25 cent tag fee for each male dog or spayed female dog, and a \$5 license fee and 25 cent tag fee for each unspayed female dog. The owner of a kennel may make application for a kennel license and must pay the clerk a kennel license fee of \$10, together with a \$1 license fee and a 25-cent tag fee, for each dog listed in the application. If, during the license period, any other purebred dog duly registered or eligible for registry shall be harbored or kept in such kennel, the owner of the kennel must promptly make a supplemental application asking to have such dog included under the kennel license previously issued. The dog owner must place and keep on each licensed dog a suitable collar to which must be securely attached the tag applicable to such dog. No dog is permitted to be at large without a collar and tag. All dog owners failing to procure licenses for their dogs are subject to penalties. A peace officer or any designated representative of the commissioner may seize any unlicensed dog either on or off the owner's premises. The owner of a dog seized may redeem the dog within three days, if the seizure is within a city, and within five days if elsewhere within the State, by producing a license for the dog and paying to the clerk \$2 as the cost of the seizure. If not redeemed, the dog must be sold or killed by the peace officer. The commissioner may at any time by order require that all dogs in any town, city, or county, shall be securely confined

between sunset and one hour after sunrise during the period designated in the order.

If a dog attacks, chases, or worries any domestic animal, the owner or caretaker of such domestic animal, or any person witnessing the attack, may kill the dog while so attacking, chasing, or worrying, and no liability in damages or otherwise shall be incurred on account of such killing. Any person may make a complaint of such an attack on domestic animals to a justice of peace or to a magistrate, if within a city. The justice or magistrate shall inquire into the complaint on written notice of not less than three days to the owner of the dog. If convinced that the dog is dangerous, the justice may order the owner or any peace officer, to kill the dog immediately. The owner of domestic animals attacked, chased, worried, or killed by dogs shall immediately on discovery notify the nearest assessor of the city or town, where the damage was done, of the fact and that he claims indemnity, and requires that the damages be determined. The assessor determines the amount of damages actually apparent and makes a report as to the amount. If the amount of damage is more than \$50, the assessor notifies the other assessors, who inquire into the matter. The report is then filed in the office of the county treasurer and a copy delivered to claimant. If dissatisfied, the claimant may request a review. The county treasurer may also request a review. On completion of the investigation the commissioner renders a decision as to the amount of the damages. The damages determined shall be paid by the county treasurer to the claimant from funds arising under this article. If the funds are insufficient, then it shall be paid from such other funds as shall be raised by the board of supervisors, in the manner that funds are raised to pay other county charges. Any person who shall violate any provisions of this article is subject to a penalty. License fees and penalties arising from this article are used to pay damages to livestock from dogs and to defray the expenses of operating and enforcing the law. Any city, town, or village may impose restrictions not inconsistent with the provisions of this article on the keeping and running at large of dogs within such city, town, or village.

#### NORTH CAROLINA

1913. Amended in 1919 and 1920

The tax listers are required to ascertain the number of dogs owned or kept by any person, and such person is required to pay a privilege tax of \$1 for each male or spayed female over 6 months of age and \$2 for each female. The county officers determine whether a collar and license tag shall be issued, and whether they shall be worn by dogs. It is a misdemeanor to keep an unlicensed dog. Any person may kill a mad dog or any dog killing livestock or poultry. All licensed dogs become personal property and are governed by the laws governing other personal property. A livestock owner who suffers losses by dogs makes complaint to the county commissioners. The commissioners appoint three freeholders to investigate the claim and ascertain the amount of damages. The damages approved by the committee of freeholders shall be paid out of the dog-tax fund. In case the owner of the dog or dogs which caused the damages is known, he shall reimburse the county to the amount paid out for such injury or destruction. Towns and cities are empowered to enact any ordinances they may deem necessary regulating the keeping of dogs.

#### NORTH DAKOTA

Compiled laws of 1913

Municipalities are empowered to tax dogs at their discretion. Dogs caught in the act of killing, wounding, or chasing sheep, or dogs showing that they have recently been engaged in killing, wounding, or chasing sheep, may be immediately killed by any person. The owner of a dog is held liable for all damages done to sheep or to other domestic animals.

#### OHIO

As amended in 1927

All dogs over 3 months of age must be registered and a registration fee paid to the county auditor of the county in which the dog is kept. Registration fee on males or spayed females is \$1, and on unspayed females \$3 each. A kennel

license may be obtained for \$10. Licensed dogs, except those constantly confined to kennels, must wear their metal tags at all times. County dog wardens are instructed to seize and impound all dogs over 3 months of age found without registration tags, and to sell or destroy such dogs if not redeemed within three days. The owner or keeper of a dog seized and impounded for not wearing a valid registration tag may at any time prior to the expiration of the three days redeem the dog by paying to the dog warden all the costs assessed against the animal and providing it with a valid registration tag. Any person who fails to make application for a license is subject to a fine of not more than \$25 and costs of prosecution. All funds arising from this act are placed in the dog and kennel fund. This fund is used in paying the cost incurred in making this law operative and to reimburse livestock owners for losses caused by dogs. If after all claims have been settled, in December of each year, over \$1,000 remains in this fund, the county commissioners, in counties having duly organized societies for the prevention of cruelty to children and animals, shall transfer to this society such part of these funds as they deem necessary for the use of the society. Any owner of livestock which has been injured or killed by dogs not belonging to him or harbored on his premises, in order to be entitled to enter a claim for damages, must notify a county commissioner within 48 hours after such loss has been discovered. Claims for damages to livestock are presented to the township trustees and must be verified by the testimony of at least two freeholders. The county commissioners pass on the claims at the next regular meeting after such claims have been submitted and allow the amount or a part of it to be paid out of the dog and kennel fund. If in any year there should not be money enough in the dog and kennel fund to pay the claims allowed for livestock injured or killed by dogs, it is the duty of the county commissioners to ascertain the funds needed and to fix the license fees for the ensuing year at such an amount as will cover all claims and expenses of administration.

The owner or keeper of every dog must keep such dog at all times between the hours of sunset and sunrise of each day either confined on his premises or firmly secured by means of a collar and chain or other device, so that it can not stray beyond the owner's premises. Whoever fails to keep a dog under control as provided in this act is liable to a fine of not more than \$25.

#### OKLAHOMA

Revised laws of 1910

Dogs are taxed and restrained at the option of the city councils. The State law empowers the city councils to prevent dogs from running at large. A dog, off his owner's premises, in the act of killing or worrying sheep, may be killed.

#### OREGON

Enacted in 1917. Amended in 1925 and 1929

Dogs are considered as personal property. Dog owners are liable to livestock owners for damages done by their dogs. Any person may kill any dog found doing damage to any domestic animal. Anyone discovering any dog under such circumstances as to show satisfactorily that the dog has been recently engaged in killing or chasing sheep or other domestic animals is authorized to kill it. Voters of any county, precinct, or incorporated city may file a petition with the county clerk before the time for giving notice of the general election, who shall cause notice to be given that a vote will be taken for and against permitting dogs to run at large in that county. In counties in which the majority of votes cast are against permitting dogs to run at large, the county clerk gives notice. After 60 days from date of notice any unmuzzled dog found running at large and away from the premises of the owner, the owner is subject to a fine of \$10 for the first offense and \$25 for each subsequent offense. Dogs are considered running at large when they are off their owners' premises without a muzzle or when not under the control of their owner or keeper. It is unlawful for any dog to run at large in a county which comes under the provisions of this act, without having a shepherd's muzzle properly fastened around his nose and neck to prevent him from injuring sheep or other domestic animals. When such a dog is found running at large it is the duty of the officers of the law to kill it. A fee of \$1 is paid out of the dog fund for each dog so killed. Every person owning or keeping any dog over the age of 8 months within the State of Oregon must procure from the county

clerk of the county in which said person resides, a license for such dog, not later than March 1 of each year. The license fee is \$2 for each male or spayed female dog and \$3 for each female dog. The county clerk issues to the dog owner a license and a metal tag; the tag must be attached to a collar to be worn by the dog. The license is for a period of one year from January 1. Any person failing to procure a license within the specified time is required on procuring the license to pay as a penalty an additional sum of \$2 for each dog. All funds derived from dog-license fees and fines are turned over to the county treasurer to be kept in a fund known as the dog-license fund. This fund is used to satisfy claims by livestock owners for damages done by dogs. Any amount of money in the dog-license fund in excess of \$2,000 on January 1 of each year is placed in the general fund of the county.

Any dog, whether licensed or not, which, while off the owner's premises, shall kill, wound, or injure any livestock not belonging to the master of the dog, shall be deemed to be a public nuisance and may be killed forthwith by any person. Any person owning, harboring, or keeping any unlicensed dog, or any person owning, keeping, or harboring any dog when said person has knowledge that said dog has killed, wounded, or chased livestock, is guilty of a misdemeanor and on conviction is subject to a fine of not less than \$10 nor more than \$100.

The owner of any sheep or goats killed by dogs may within 10 days after such killing has been discovered present to the county court a verified statement of the damage done. The claim must be supported by the affidavit of at least one disinterested person. All claims presented are heard at the first regular session of the board of county commissioners after the presentation, and the board allows the amount of the claim or any portion it deems just. The claim is paid by the county treasurer out of the dog fund.

The county court of any county in this State may, or upon the presentation of a petition signed by not less than 50 sheep or goat owners in the county, must declare such county a dog-control district. The county court appoints a board of three resident supervisors, such board having full authority to issue licenses and to enforce all the laws relating to the control of dogs within said county, including that of making arrests.

#### PENNSYLVANIA

Enacted in 1921. Amended in 1927 and 1929

The owner of any dog 6 months old or over must apply to the county treasurer, on or before January 15 of each year, for a license for any dog owned or kept by him. The application must be accompanied by a license fee of \$1 for each male dog, and for each spayed female dog for which the certificate of a veterinarian or the affidavit of the owner is produced, and by a license fee of \$2 for each unspayed female dog. An additional fee of 10 cents is also paid by the applicant for the issuing and recording of the license. A metal tag is issued by the county treasurer with each license, which tag must be affixed to a substantial collar and worn by the dog at all times. It is unlawful for any person except the owner or his authorized agent or an agent of the State department of agriculture to remove any license tag from a dog collar or to remove any collar with license attached thereto from any dog. Any person becoming the owner, or any person owning or keeping a dog 6 months old or over after January 15 of any year, which has not already been licensed, must apply to the county treasurer for a license for such dog. Any person who keeps or operates a kennel may, in lieu of the license for each dog required by this act, apply to the county treasurer for a kennel certificate. The kennel fee is \$10 for 10 dogs or less and \$20 for more than 10 dogs permitted to be kept under the kennel certificates. Each dog 6 months old or over, kept in a kennel, must wear a kennel-license tax. It is unlawful to keep an unlicensed dog.

All moneys received by the county treasurer from license fees and fines are remitted to the State treasurer on the first Monday of each calendar month. The State treasurer establishes a separate fund known as the "dog fund," from which is appropriated money from time to time to the department of agriculture for the purpose of carrying into effect the provisions of this act. On November 30 of each year, the State treasurer pays into the general fund of the State treasury all moneys remaining to the credit of the dog fund, with the exception of the sum of \$25,000, which shall remain in the dog fund.

Police officers are authorized to seize and detain any dog found running at large, and to kill any dog found running at large, which does not bear a proper license tag. A licensed dog which has been seized must be claimed by the owner within 10 days. All unclaimed dogs are disposed of by police officers.

Any person may kill any dog which he sees in the act of pursuing, worrying, or wounding any livestock, and he is not liable in damages for such killing. Any dog that enters any field or inclosure where livestock or poultry are confined shall constitute a private nuisance, and the owner or tenant of such field may kill the dog while it is in the field or inclosure without liability for the killing. This does not apply to licensed dogs accompanied by the owner unless caught in the act of worrying, wounding, or killing any livestock, or attacking human beings. It is unlawful for any person, except a police officer, to kill, injure, poison, or attempt to kill, injure, or poison any dog which bears a license tag for the current year. The owner or keeper of every dog shall at all times between the hours of sunset and sunrise of each day keep the dog either confined within an inclosure, or firmly secured by means of a collar and chain, or under the control of some person. Any police officer may kill any dog found running at large between the hours of sunset and sunrise and unaccompanied, and not under the control of the owner or handler.

Whenever any person sustains any loss or damage to any livestock or poultry by dogs, except when such loss or damage has been caused by a dog harbored by the owner of such livestock or poultry, the person may, immediately after the damage was done, complain to any township auditor, justice of the peace, alderman, or magistrate of the township, town, or city. The complaint must be in writing and signed by the person making the complaint. The township auditor, justice of the peace, alderman, or magistrate shall at once notify an auditor or controller of the district and together they shall examine the place and the livestock killed. A time is then fixed for testimony relative to the claim by claimant and dog owner, if known. The appraisers must make diligent inquiry and determine the amount of damages. If the two appraisers can not agree as to the amount of damages the State secretary of agriculture may appoint a disinterested citizen to assist. After the secretary of agriculture has received and approved a report for damages he immediately draws his check in favor of the claimant for the amount of loss or damage sustained. The secretary of agriculture may make further investigation if it is deemed advisable. The Commonwealth will not make payment exceeding \$20 for each head of sheep injured or killed by dogs. Any owner or keeper of such dog shall be liable to the owner of such livestock or poultry in a civil action for all damages and costs or to the Commonwealth to the extent of the amount of the damages. The inhabitants of any city, borough, or township, having suffered an excessive amount of damage by dogs, may present a petition to the secretary of agriculture, signed by 20 or more residents who are owners of livestock or poultry, alleging such excessive damage and requesting that a quarantine be placed on all dogs within the limits of the city, borough, or township. On receipt of the petition the secretary of agriculture may have an investigation made and if deemed advisable may establish a dog-control quarantine. It is unlawful for any person residing in the quarantined area to permit a dog owned or harbored by him to run at large. Any police officer may kill any dog running at large in a quarantined area without liability for damages for the killing.

The owner of a dog having caused loss or damage to livestock, when notified by the secretary of agriculture to kill the dog, must do so within 10 days or the dog may be killed by any police officer.

#### RHODE ISLAND

Amended in 1916 and 1925

Owners are required to register their dogs with the town clerk in April of each year. The tax is \$1.15 each on males and spayed females and \$5.15 on unspayed females. A licensed dog is required to have at all times a collar bearing the dog's registry number and the name of the owner. There is a fine of \$10 for owning or keeping a dog not registered. Dogs kept for breeding purposes only and confined or kept in charge of owner at all times need not be registered if a kennel license is paid. It is lawful to kill any dog found off the premises of its owner unattended and without a collar. The dog owner is liable for all damages done by his dog, same to be recovered by an action in court.



The dog owner is liable for double the amount of damages to livestock for a second offense committed by the dog and for a second offense the dog is ordered killed. Towns annually appoint appraisers to appraise damages to the sheep owner. The sheep owner presents the statement to the city council and the city council draws an order on the town treasurer for the amount. The town may recover from the dog owner or the sheep owner may recover from the dog owner, but if the sheep owner prefers to sue the owner of the dog he can not recover from the town.

#### SOUTH CAROLINA

Code of 1922, acts of 1924

On January 1 of each year an annual license is levied on all dogs except suckling pups. The amount of the license fee varies but does not exceed \$1.25 in any county. It is a criminal offense to own, harbor, or maintain a dog without paying the license and anyone owning or harboring such dog is subject to a fine of not more than \$5 nor more than five days' imprisonment. Of the fines collected 50 per cent goes to school fund of the district where violation occurs; 35 per cent to the informer and the remaining 15 per cent to the State game-protection fund. A license tag is given each dog owner, which must be worn by the dog except when hunting. Dogs may be seized and sold, or even killed, if the tax is not paid. The county treasurer collects the license and retains 25 cents of each license as his fee and the cost of the tag. It is the duty of all game wardens, rural and city policemen, magistrates, constables, school trustees, and other peace officers to enforce this act.

It is lawful for any person finding a dog in the act of worrying or destroying any sheep to kill the dog and the person shall not be held liable in any action, civil or criminal. The owner of a dog is liable for double the damages that may be inflicted by the dog on sheep, but the damage must be recovered at the suit of the party sustaining the loss. All persons are prohibited from buying, selling, receiving, giving away, or otherwise owning, controlling, having, or keeping in possession any dog or dogs known to be a "sheep-killing dog." Any person failing to comply with this provision is subject to a fine not exceeding \$100, or imprisonment not exceeding 30 days.

#### SOUTH DAKOTA

Revised code of 1919

Dogs are listed in each county by the county assessor and a tax of \$1 on each dog is levied by the county commissioners. The dog tax when collected is credited to the school fund of the district from which it was collected. Any person who keeps, harbors, or owns a dog that shall chase, worry, or kill any livestock is liable for all damages committed by such dog. It is lawful for any person to kill any dog found, off the premises of the owner, in the act of chasing or worrying sheep.

#### TENNESSEE

Public acts of 1923. Private acts of 1927

The law of 1919 (chapter 61, acts of the General Assembly of the State of Tennessee) regulating the keeping of dogs in Tennessee was repealed by the public acts of 1923 (chapter 1) except in counties having a population of 200,000 by the Federal census of 1920 or any subsequent Federal census (Shelby County excepted). The private acts of 1927 govern the keeping of dogs in certain counties, and brief digests of such local laws are given herewith.

In the counties of Bedford, Maury, Montgomery, and Wilson dog owners must pay an annual license fee of \$1 for each male dog and \$3 for each female dog over 4 months of age. A kennel license may be obtained for \$10 if not more than 12 dogs are kept, and for a fee of \$15 if more than that number are kept. The license fees are collected and license tags issued by the trustee. A license tag must be attached to the dog's collar and worn at all times. It is a misdemeanor to keep an unlicensed dog or allow it to run at large. Any dog found chasing, injuring, or killing sheep shall be killed by the warden. Livestock owners are entitled to receive compensation out of the fund derived by this act for damages done by dogs.

In Fentress County owners are prohibited from allowing dogs to run at large or upon the premises of another person or persons between the hours of

6 p. m. and 6 a. m. Any person violating this provision is guilty of a misdemeanor.

All dog owners in Giles County are required to obtain a license for each dog owned on or before January 1 of each year. A fee of \$1 for each male dog and \$2 for each female dog over 4 months of age is charged. All licensed dogs must wear a collar to which is attached a metal license tag issued by the county court clerk. Owners of dog kennels must pay \$5 for five dogs or less and \$10 for more than five dogs. Moneys collected from license fees are used for payment of livestock damaged by dogs. Any person may kill any dog which he sees in the act of pursuing, wounding, or worrying any livestock and there shall be no liability in damages for such killing.

In Haywood County it is unlawful to allow any dog to run at large during the months of May, June, and August unless the dog is accompanied by its owner and wears a well-fitted wire muzzle. This act does not apply to dogs in chase or training. Any violation of this act is a misdemeanor punishable by fine.

Dog owners in Lincoln County must pay an annual license fee to the county assessor on each dog more than 6 months of age. A fee of \$1 for each spayed or unsplayed female dog is assessed against owner. Owners of dog kennels must pay an annual license fee of \$8 a kennel. Any person may kill, without civil or criminal liability, any dog known to have chased, killed, or worried any sheep, unless accompanied or under the control of owner. All money collected from licensing dogs constitutes a fund known as the "sheep fund" and is used for payment of damages sustained by owners of sheep killed or injured by dogs.

Dogs in Sumner County over 6 months of age must be licensed. The dog owner must pay, as an annual license fee to the county assessor, the sum of \$1 for each male dog or spayed female dog and \$3 for each and every unsplayed female dog. Each person owning from 5 to less than 11 dogs must pay an annual license fee of \$10 in lieu of the sum of \$1 as provided herein for each dog owned by him, and persons owning 11 or more dogs must pay a flat annual license fee of \$30. Any person may kill, without criminal or civil liability, any dog known to have chased, killed, or worried sheep unless accompanied by its master. All money derived from licensing of dogs constitutes a "sheep fund" and is used to pay damages sustained by owners of sheep killed or injured by dogs. Damages to sheep by dogs must be reported by sheep owners within 48 hours to the trustee of his county. No sheep are paid for in excess of their market value.

#### TEXAS

Complete statutes of 1928

The city councils are empowered to tax, regulate, or restrain, and prohibit the running at large of dogs and to authorize their destruction when at large contrary to ordinances, and to impose penalties for violation of such ordinances. Any person owning or keeping any dog accustomed to running, worrying, or killing goats, sheep, or poultry, which they know to be so accustomed, and who permits such dog to run at large, is subject to a fine not to exceed \$100. Each time such dog runs at large is a separate offense. The law contains no clause regarding recovery of damages to sheep.

#### UTAH

Compiled laws of 1917

Every person owning or keeping a dog is liable in damages for any injurious act committed by such dog. It is not necessary, in any action brought, to prove that the dog was of a vicious or mischievous disposition or that the owner or keeper knew the dog was vicious or mischievous. When any injury has been committed by two or more dogs acting together, and the dogs are owned or kept by different persons, all such persons are liable for damages, and the amount found by the court for the injury is apportioned among the several defendants.

#### VERMONT

Enacted in 1912. Amended in 1919 and 1921

A person owning or harboring a dog more than 4 weeks old must apply to the town clerk on or before April 1 for a license for each dog. The license fee is \$2 for each male or spayed female and \$6 for each female. If the license is

not obtained by the 1st of April it may be obtained before April 15 by payment of a fee of 50 per cent in excess of that otherwise required. A kennel license for 10 dogs or less may be obtained by the payment of a fee of \$30, and \$2 for each additional dog kept. Funds received by the town treasurer are set aside in the dog-tax fund to be used in carrying this law into effect.

Licensed dogs are required to wear collars and unlicensed dogs are to be killed. Sheep owners suffering damage from dogs report their losses and the damages are appraised by either the selectmen of the town or two disinterested persons. Reparation is made by the town from the dog-tax fund. If the dog or dogs which have done the damage are identified they are to be killed. Villages may offer a reward for the identification of a sheep-killing dog. The owner of the dog is liable to the town for all damages done by his dog, for which the town has paid. If the sheep owner wishes, he may sue the dog owner instead of recovering damages from the town, and in such instances the owner is liable for twice the amount of damages plus twice the cost of suit.

#### VIRGINIA

Amended in 1928

It is the duty of the owner of any dog, 4 months old or over, to pay a license tax to the treasurer of his respective county or city on or before January 1 of each year. If a dog becomes 4 months of age or comes into the possession of any person between January 1 and November 1 of any year, the license tax for the current calendar year must be paid by the owner. If a dog becomes 4 months of age or comes into the possession of any person between October 31 and December 31 of any year, the license tax for the succeeding calendar year must be paid by the owner, the license protecting the dog from date of purchase. Any dog not wearing a collar bearing a license tag of the proper calendar year shall be deemed to be unlicensed. Dog licenses shall run from January 1 to December 31 of each year. The license tax is \$1 for each male or unsexed female and \$3 for each female. Any person may buy one or more kennel licenses to cover dogs owned by him in lieu of the license required for each dog under this act. The kennel license tax shall be \$15 for a 20-dog kennel and \$25 for a 50-dog kennel. On payment of the license tax, the treasurer gives the licensee a receipt and delivers the metal license tags or plates. If a license tag is lost or stolen, the owner may apply to the treasurer, and on the payment of 10 cents and the presentation of the receipt showing payment of the license tax, may receive a duplicate tag. The tag must be attached to the dog's collar and worn at all times. Any person failing to pay the license tax on any dog owned by him shall pay a fine of not less than \$5 nor more than \$100, together with costs of prosecution. It is unlawful for any person to conceal or harbor any dog on which the license tax has not been paid. It is also unlawful for any owner to permit a dog to run at large at any time without a license tag.

Any person finding a dog in the act of killing, injuring, worrying, or chasing sheep or other livestock, may kill it whether it bears a tag or not. Any person who has reason to believe that any dog is killing livestock, but which has not been found in the act, shall apply to a magistrate of the county, city, or town wherein the dog may be. The magistrate shall issue a warrant requiring the owner or custodian to appear before him, when evidence shall be heard concerning the dog. Any person killing a dog under this act must burn or bury the body.

Any person, taxed by the State, who shall have any livestock or poultry killed or injured by any dog shall be entitled to receive compensation at the assessed value of the livestock and fair value of unassessed lambs and poultry. The person suffering damages may in addition recover from the owner of such dog if known, in an appropriate action at law, the difference between the assessed value and the full value of such livestock. Claimants for damages must furnish evidence, under oath, of quantity and value to the board of supervisors of the county within 90 days after sustaining the damage. Any person presenting or receiving any money on a false claim, shall be fined, upon conviction, not exceeding \$100 or imprisonment not exceeding three months, or both. All money collected for dog-license taxes is kept in a separate fund and a part of it used to pay for damages to livestock and poultry. In case the amount is not sufficient to satisfy all claims for such damages, the same shall be filed and paid in the order of presentation out of the first available money coming

into the fund. Any funds in excess of \$250 remaining in the hands of the treasurer on December 31 is transferred to the general fund of his county or city. Each incorporated town is entitled to share pro rata in the fund so disbursed in the proportion that the amount of the license tax collected in such town bears to the total dog-license tax in the county in which the town is located, to be used as the town council or other governing body of the town may direct. All dogs in this State on which the license tax is not delinquent are deemed personal property and may be the subject of larceny. Any person stealing any dog the property of another is guilty of a misdemeanor.

#### WASHINGTON

Laws of 1929

It is the duty of each county and township assessor to list annually all persons owning or keeping a dog or dogs outside the corporate limits of any city of the first, second, or third class. A license tax of \$1 for each male or sterilized female dog and \$2.50 for each unsterilized female dog is assessed against the owner. The owner or keeper of a dog kennel must pay a license fee of \$10 for 20 dogs or less and \$5 for each additional 20 dogs. On payment of license tax the county treasurer delivers to the dog owner a license and a metallic tag for each dog taxed or licensed. The tag must be attached to a substantial collar and worn by the dog. All license taxes collected are placed in a separate fund in the office of the county treasurer and known as the "county dog-license tax fund."

The owner or keeper of any dog is liable to the owner of any animal killed or injured by such dog for the amount of damages sustained and costs of collection, to be recovered in a civil action. If owner of the dog is unknown, the person suffering damages may present a claim for damages to a justice of the peace of the county in which he resides. This claim must be made within 40 days after the animals have been killed or injured and an affidavit made as to amount of damages. The damages must be proved by not less than two witnesses, who shall be freeholders of the county. Damages allowed shall not exceed \$12.50 a head for unregistered sheep or goats killed or injured and \$25 a head for registered sheep or goats killed or injured by dogs. The county treasurer pays to the claimant out of the county dog-license tax fund the amount of damages sustained as certified by the justice of the peace. It is lawful for any person who shall see any dog or dogs chasing, injuring, or killing any sheep or domestic animal belonging to such person, to kill such dog or dogs. It is the duty of the owner after being notified of his dog found chasing, injuring, or killing sheep or domestic animals, to keep the dog confined on his premises. Neglect of the owner to comply with these provisions makes it lawful for the owner of domestic animals chased, injured, or killed to kill the dog found running at large. It is the duty of any person owning or keeping any dog which shall be found killing any domestic animal to kill such dog within 48 hours after being notified of that fact. Failure to do this is considered a misdemeanor. It is the duty of the sheriff to kill any dog found running at large after August 1 of any year and before March 1 in the following year, without a metal identification tag. On March 1 of each year all moneys in the county dog-license tax fund in excess of \$500 are transferred and credited by the county treasurer to the current expense fund of the county.

#### WEST VIRGINIA

Enacted in 1925

All dogs above 8 months old are subject to taxation and are made personal property. Dogs are listed by the county assessor, and the dog owner pays to the assessor a head tax of \$1 on each male dog and \$2 on each female dog which he owns or keeps. On failure or refusal to pay this tax when assessed or within 15 days thereafter to the assessor the dog is turned over to and held by the sheriff. The dog may be redeemed by the owner by paying the delinquent tax fee plus an impounding fee of \$1.50. In addition to this head tax on dogs the owner of any dog above the age of 8 months is permitted to place a value on it and the dog assessed as other personal property.

All taxes collected on dogs are credited to the fund for the compensation of persons who have suffered loss or damage on account of the destruction, loss,

or injury, by dogs, of any sheep, or goats. Claims for the loss or damage shall be presented to and allowed when satisfactorily proved by the county court. Any person suffering loss or damage to sheep or goats by dogs has right of action, in any court of law, against the owner or keeper of the sheep-killing dog for the recovery of the entire loss or damage sustained by such party. If the dog owner is not financially responsible, the person suffering loss may file his claim and prove it before the county court. Any person who unlawfully kills or injures, administers poison to, or knowingly exposes the same so that it shall be taken by any dog, is guilty of a misdemeanor punishable by fine or imprisonment. No unnaturalized resident can own a dog.

Any dog off the owner's premises found killing, wounding, worrying, or chasing sheep or goats shall be killed immediately by the dog's owner or other person who may be a witness to the dog's acts. If the dog is not killed by persons finding the dog in the act, the owner of the sheep may file complaint before any justice of the county. If the dog is found guilty it is ordered to be killed by the sheriff. Any person keeping a dog which chases or kills sheep or goats is liable for all damages done by such dog.

Any person hiding or secreting any taxable dog is guilty of a misdemeanor. Appraisers are appointed by a justice of the peace on the request of any person suffering damages. The complainant is required to make a sworn complaint of the damages, to the best of his knowledge, before appraisers may be summoned. Reports and statements are turned over to the county court. Surplus funds remaining after all claims and expenses arising from damages to sheep and goats have been paid are annually credited to the teachers' fund of the different school districts of the county in proportion to the school population of each.

#### WISCONSIN

##### Statutes of 1927

All owners of dogs are listed by assessors. Every person who owns or keeps a dog over six months of age must obtain annually before February 1 a dog license by the payment of the fee of \$1 for each male or unspayed female and \$2 for each female. Kennel licenses may be obtained by the payment of a fee of \$20. The fees are paid to the town, village, or city treasurer or his deputy, who must furnish the dog owners with a tag to be worn by the dog. All license fees received in the towns, villages, and small cities are transferred to the county treasurer each month and kept in a separate account known as "the dog-license fund."

Any person may seize and hold any unlicensed dog found running at large and may kill any dog found worrying or wounding any domestic animal. It is unlawful for any person to harbor or permit to remain about his premises any unlicensed dog. A dog found off the premises of its owner, between sunset and sunrise and unaccompanied by its owner or some person in control of it, is considered an unlicensed dog.

The owner or keeper of any dog which has killed, wounded, or worried any horses, cattle, sheep, or lambs is liable to the owner of the animals for all damages so done. If any dog shall worry, wound, or kill any livestock, and the person owning or harboring such dog does not keep it confined after being notified of the dog's actions, the owner or keeper is liable to pay damage in double the value of the livestock killed thereafter by the dog. In addition to being liable in damages, the dog owner is also subject to a fine. Damages may be recovered in an action by the owner of the animals.

Any person suffering loss of livestock or poultry by dogs may within 10 days file a written claim of damages with the clerk of the town, village, or city. On presentation of the claim the supervisors of the town or a committee appointed promptly investigate the claim, and may if necessary subpoena witnesses and take testimony in the case. A report is made within 30 days by the supervisors to the county clerk as to the amount of damages suffered by the livestock owner. The county clerk lays the claim before the county board at its first meeting, at which time it is determined and acted upon by the board. When the claim is finally determined, the claimant is paid 80 per cent of the claim out of the dog-license fund. In no case will the amount allowed on any claim exceed \$30 for each sheep or goat. If the claimant can furnish conclusive evidence as to the ownership of the dog doing the damage, he receives the full amount of the claim submitted, and the county may then recover the

full amount of the damages from the person owning the dog. Towns, villages, and cities are empowered to pass other ordinances regulating the keeping of dogs.

### WYOMING

Laws of 1920 and 1925

Dogs are deemed to be personal property and the subject of larceny the same as other personal property. Every person keeping or harboring a dog is deemed to be the owner of the dog. Any person killing, injuring, or stealing any dog listed for taxation is liable to the dog owner for damages in any sum not exceeding the amount for which the dog was returned to the assessor. Dogs running livestock against the wish of the owner of the livestock may be killed in cases in which the livestock has been injured or threatened with injury. Any person killing the dog is not liable to the owner of the dog when the vicious character of the dog or the damage or danger of damage is shown. It is unlawful for any person or persons to use dogs for the purpose of running or coursing deer, antelope, elk, mountain sheep, or moose at any time.

### COMPLETE DOG LAW OF MICHIGAN

The complete law of the State of Michigan is given as an example of a modern law which really offers protection to flockmasters. Information from field men and sheepmen from this State show that this law has had the support of the people and has been efficiently enforced by the police, and hence has proved to be a real protection and aid to the sheep industry of the State. Favorable reports as to the effectiveness have been received from field men in other States which have laws similar to the Michigan law. While the text of this law is not suited to every State, the principles may be adopted to advantage.

ACT NO. 339. PUBLIC ACTS OF 1919. AMENDED IN 1921. AMENDED IN 1925 BY ACT 31 AND ACT 322, PUBLIC ACTS OF 1925, AND BY ACTS 52 AND 114, PUBLIC ACTS OF 1927

AN ACT Relating to dogs and the protection of livestock and poultry from damage by dogs; providing for the licensing of dogs; regulating the keeping of dogs, and authorizing their destruction in certain cases; providing for the determination and payment of damages done by dogs to livestock and poultry; imposing powers and duties on certain State, county, city, and township officers and employees, and to repeal act number three hundred forty-seven of the Public Acts of nineteen hundred seventeen, and providing penalties for the violation of this act.

*The people of the State of Michigan enact:*

SECTION 1. This act shall be known and may be cited as the dog law of nineteen hundred nineteen of the State of Michigan. For the purpose of this act the following terms shall have the following meaning, respectively, designated for each: The term "livestock" shall apply to horses, stallions, colts, geldings, mares, sheep, rams, lambs, bulls, bullocks, steers, heifers, cows, calves, mules, jacks, jennets, burros, goats, kids, and swine. The term "poultry" shall include all domestic fowl. The word "person" shall include State and local officers or employees, individuals, corporations, copartnerships, and associations. Singular words shall include the plural. Masculine words shall include the feminine and neuter. The word "owner," when applied to the proprietorship of a dog, shall include every person having a right of property in such dog, and every person who keeps or harbors such dog or has it in his care, and every person who permits such dog to remain on or about any premises occupied by him. The term "kennel" shall mean any establishment wherein or whereon dogs are kept for the purpose of breeding, sale, or sporting purposes. The term "police officer" shall mean any person employed or elected by the people of the State of Michigan, or by any municipality, county, or township, and whose duty it is to preserve peace or to make arrests or to enforce the law. The term "police officer" includes game, fish and forest fire warden, and members of the State constabulary.

SEC. 2. From and after June 15, nineteen hundred twenty-five, it shall be unlawful for any person to own any dog four months old or over, unless said dog is licensed as hereinafter provided, or to own any dog four months old and over that does not at all times wear a collar with metal tag attached as hereinafter provided, except when engaged in lawful hunting accompanied by its owner or custodian; or for any owner of any female dog to permit said female dog to go beyond premises of such owner when she is in heat, unless such female dog is held properly in leash; or for any person, except the owner or authorized agent, to remove any license tag from a dog; or for any owner to allow any dog to stray beyond his premises unless under reasonable control of some person or when engaged in lawful hunting, accompanied by his owner or custodian.

SEC. 3. Every dog shall at all times between sunset of each day and sunrise of the following day be confined upon the premises of its owner or custodian, except when said dog is otherwise under the reasonable control of some person.

SEC. 4. The State livestock sanitary commission (commissioner of agriculture) shall have general supervision over the licensing and regulation of dogs and the protection of livestock and poultry from dogs, and may employ all proper means for the enforcement of this act, and all police officers of the State, county, municipality, or township shall be at its disposal for that purpose.

SEC. 5. It shall be the duty of the State livestock sanitary commission (commissioner of agriculture) to purchase from time to time, as may be necessary, a sufficient number of tags for the State of Michigan, which tags shall be purchased from such commission (commissioner) by the treasurers of the counties as the same may be needed to comply with the provisions of this act. Such tags shall be sold at cost to the said treasurers. The State treasurer is hereby authorized to advance to the said commission (commissioner), out of any funds of the State, such sum of money as may be necessary from time to time to pay for the tags so purchased by the State livestock sanitary commission (commissioner of agriculture), which sum shall be repaid to the State treasurer from the money collected from the county treasurers in payment for the tags. The said commission (commissioner) is hereby authorized to extend thirty days' credit to any county treasurer for tags so purchased. The commission (commissioner) shall also furnish to each county treasurer, on or before November fifteenth of each year, a book containing proper forms for issuing dog licenses required in his county, together with the necessary blanks for the use of the supervisors and assessors of such county; such books and blanks shall be furnished to said commission (commissioner) by the board of State auditors without cost to said commission (commissioner). The tag required by this act shall be not more than one and one-half inches in length and uniform in shape throughout the State, the general shape of which shall be changed from year to year; such tags shall have impressed upon them the calendar year for which they are issued and shall bear the name of the county issuing them and shall be numbered consecutively.

SEC. 6. On or before the first day of March, nineteen hundred twenty-eight, and on or before the same day of each year thereafter, the owner of any dog four months old or over shall, except as provided in section fourteen, apply to the county, township, or city treasurer, where said owner resides, in writing, for a license for each such dog owned or kept by him. Such application shall state the breed, sex, age, color and markings of such dog, and the name and address of the last previous owner. At the time of making said application the owner shall pay the following license fee: If said application is made before March first, the same shall be accompanied by a license fee of two dollars for each male dog, or unsexed dog, and four dollars for each female dog. If said application is made on or after March first, the same shall be accompanied by a license fee of four dollars for each male dog or unsexed dog, and six dollars for each female dog.

SEC. 7. The county treasurer shall then deliver to said owner a license and also one of the metal tags before mentioned, such tag to be affixed to a substantial collar to be furnished by the owner, which, with the tag attached, shall at all times be kept on the dog for which the license is issued, except when such dog is engaged in lawful hunting accompanied by its owner or custodian.

SEC. 8. Any person becoming the owner, after the first day of March, nineteen hundred twenty-six, or any year thereafter, of any dog four months old or over, which has not already been licensed, or any person owning a dog which

becomes four months old at any time after the first day of March of any year, shall forthwith apply for and secure a license for such dog, and in case of application made at any time after the tenth day of July of any year, the license fee shall be one-half the amount fixed as the annual license fee for such dog.

SEC. 9. Each license issued shall be dated and shall bear a serial number corresponding to the number on the metal tag furnished to said owner; it shall also bear the name of the county issuing the same and a full description of the dog licensed.

SEC. 10. Any person who keeps or operates a kennel may in lieu of individual license required under this act apply to the county treasurer for a kennel license entitling him to keep or operate such kennel. Such license shall be issued by the county treasurer, on a form prepared and supplied by the State livestock sanitary commission (commissioner of agriculture) and shall entitle the licensee to keep any number of dogs four months old or over, not at any time exceeding a certain number to be specified in the license. The fee to be paid for each kennel license shall be fifteen dollars for the ten dogs or less, and twenty dollars for more than ten dogs: *Provided*, That an additional fee of five dollars be charged for each kennel license applied for after the first day of March. With each kennel license the county treasurer shall issue a number of metal tags equal to the number of dogs authorized to be kept in the kennel. All such tags shall bear the name of the county issuing it, the number of the kennel license, and shall be readily distinguishable from the individual license tags for the same year.

SEC. 11. The licensee of a kennel shall, at all times, keep one of such tags attached to a collar on each dog four months old or over kept by him under a kennel license. No dog bearing a kennel tag shall be permitted to stray or be taken anywhere outside the limits of the kennel. This section does not prohibit the taking of dogs having a kennel license outside the limits temporarily and in leash, nor does it prohibit the taking of such dogs out of the kennel temporarily for the purpose of hunting, breeding, trial, or show.

SEC. 12. If any dog tag is lost, it shall be replaced without cost by the county treasurer, upon application by the owner of the dog, and upon production of such license and a sworn statement of the facts regarding the loss of such tag.

SEC. 13. No license or license tag issued for one dog shall be transferable to another dog. Whenever the ownership or possession of any dog permanently transferred from one person to another within the same county, the license of such dog may be likewise transferred, upon notice given to the county treasurer, who shall note such transfer upon his record. This act does not require the procurement of a new license, or the transfer of a license already secured, when the possession of a dog is temporarily transferred for the purpose of hunting game, or for breeding, trial, or show in the State of Michigan.

SEC. 14. Every township or city treasurer in the State shall on or before December first, nineteen hundred twenty-five, and of each year thereafter, make application to the county treasurer for the necessary license blanks and tags for the ensuing year, and after receipting therefor may issue dog licenses and tags in like manner, and upon like application as prescribed for the issuing of licenses by the county treasurer. Each township or city treasurer shall, not later than March first of each year, return to the county treasurer all unused tags, together with the book or books from which he has issued dog licenses, with the stubs therein contained properly filled out, and showing the names of each license and the number of each license issued to him and a full description of each dog licensed by him. He shall also on or before March first of each year pay over all moneys received by him for issuing licenses, less fifteen cents for each license issued, to pay him for issuing and recording the same. Any city may, by resolution of its legislative body, provide that its clerk shall perform the duties by this act imposed on its treasurer. Upon the adoption of such a resolution the treasurer of such city shall not be required to issue licenses under this act, but the clerk of such city shall thereupon perform, in like manner and under like terms and conditions, and with like compensation, all of the duties imposed upon city treasurers by this act.

SEC. 15. The county treasurer shall keep a record of all dog licenses, and all kennel licenses, issued during the year in each city and township in his county. Such record shall contain the name and address of the person to whom each license is issued. In the case of an individual license, the record shall also state the breed, sex, age, color, and markings of the dog licensed; and in the



case of a kennel license, it shall state the place where the business is conducted. The record shall be a public record and open to inspection during business hours. He shall also keep an accurate record of all license fees collected by him or paid over to him by any city or township treasurer.

SEC. 16. It shall be the duty of the supervisor of each township and the assessor of every city of the State of Michigan, annually, on taking his assessment of property as required by law, to make diligent inquiry as to the number of dogs owned, harbored, or kept by all persons in his assessing district; and said supervisor or assessor shall annually on or before the first day of June of nineteen hundred twenty-five, and annually thereafter, make a complete report to the county treasurer for his county and township treasurer for his township, on a blank form furnished by the State livestock sanitary commission (commissioner of agriculture) setting forth the name of every owner or keeper of any dog or dogs subject to license under this act, how many of each sex are owned by him, and if a kennel license is maintained such fact shall also be stated. Every supervisor and assessor shall receive for his services in listing such dogs at the rate of twenty-cents for each dog so listed, which sum shall be paid out of the general fund of the county.

SEC. 17. On June fifteenth of nineteen hundred twenty-five and each year thereafter each county treasurer shall make a comparison of his records of the dogs actually licensed in each city or township of his county with the report of the supervisor of said township or assessor of said city, to determine and locate all unlicensed dogs. On and after June fifteenth of each year every unlicensed dog, subject to license under the provisions of this act, is hereby declared to be a public nuisance and the county treasurer shall immediately thereafter list all such unlicensed dogs, as shown by the returns in his office of the supervisors and assessors, and shall deliver copies of such lists to the sheriff and prosecuting attorney of said county and to the commissioner of agriculture. The county treasurer shall receive a fee of twenty-five cents for each dog listed. On receiving from the county treasurer the name of any owner of any unlicensed dog, the prosecuting attorney shall at once commence the necessary proceedings against the owner of said dog, as required by the provisions of this act. It shall also be the duty of the sheriff or any member of the State constabulary to locate and kill, or cause to be killed, all such unlicensed dogs. Failure, refusal, or neglect on the part of any sheriff to carry out the provisions of this section shall constitute nonfeasance in office. The sheriff shall also kill, on complaint from the prosecuting attorney, any dog that is in the habit of running at large unaccompanied by owner or his agent.

SEC. 18. It shall be the duty of every police officer, on complaint, to kill any dog or dogs which are found outside of an incorporated city, running at large and unaccompanied by owner or keeper. For killing and burying dogs herein described, the sheriff or other police officer shall be entitled to a fee of one dollar for each dog killed and buried.

SEC. 19. Any person may kill any dog which he sees in the act of pursuing, worrying, or wounding any livestock or attacking persons, and there shall be no liability on such person in damages or otherwise, for such killing. Any dog that enters any field or inclosure, outside of an incorporated city, unaccompanied by his owner or his owner's agent, shall constitute a private nuisance and the owner or tenant of such field or other inclosure, or his agent or servant, may kill such dog while it is in the field or other inclosure without liability for such killing. Except as provided in this section, it shall be unlawful for any person, other than a police officer, to kill, injure, or attempt to kill or injure any dog which bears a license tag for the current year.

SEC. 20. Whenever any person sustains any loss or damage to any livestock or poultry by dogs, or whenever any livestock of any person is necessarily destroyed because of having been bitten by a dog, such person or his agent or attorney, may complain to any justice of the peace of the township or city within which the damage occurred. Such complaint shall be in writing, signed by the person making it, and shall state when, where, what, and how much damage was done, and, if known, by whose dog or dogs. Such justice of the peace shall at once examine the place where the alleged damage was sustained and the livestock or poultry injured or killed, if practicable. He shall also examine under oath, or affirmation, any witness called before him. After making diligent inquiry in relation to such claim, such justice shall determine whether any damage has been sustained and the amount thereof, and, if possible, who was the owner of the dog or dogs by which such damage was done. If during

the course of said proceedings it shall appear who is the owner of said dog causing said loss or damage to said livestock, said justice of the peace shall forthwith issue a summons against said owner commanding him to appear before said justice of the peace and show cause why said dog should not be killed. Such summons shall be made returnable not less than two nor more than six days from the date therein and shall be served at least two days before the time of appearance mentioned therein. Upon the return day fixed in said summons said justice of the peace shall proceed to determine whether said loss or damage to said livestock was caused by said dog, and if he shall so find he shall forthwith notify the sheriff of said county of said fact, whereupon it shall be the duty of the sheriff to kill said dog wherever found. If there be no qualified justice of the peace in the township or city, any qualified justice of the peace in an adjoining township shall have power to act under this section, but no justice of the peace who is related to the person making the complaint or financially interested in any of the livestock damaged shall act on such complaint. Any owner or keeper of such dog or dogs shall be liable to the county in a civil action for all damages and costs paid by such county on any such claims as hereinafter provided.

SEC. 21. Upon making the examination required in the preceding section, if the justice of the peace shall determine that any damage has been sustained by the complainant, he shall, upon payment to him of his costs up to that time, by the complainant, deliver his report of such examination, and all papers relating to the case to the board of supervisors of the county in which the loss was sustained, which report shall be filed in their office.

SEC. 22. Justices of the peace, for the services rendered under this act, shall receive two dollars for each case, and five cents per mile for each mile traveled, to be paid by the claimant in each case. In all cases where damages are awarded, the fees paid by claimants shall be included in the amount of such damages.

SEC. 23. Upon the board of supervisors of the county receiving such reports, if it appears thereby that a certain amount of damage has been sustained by the claimant, they shall immediately draw their order on the treasurer of the county in favor of the claimant for the amount of loss or damage such claimant has sustained, together with his necessary and proper costs incurred: *Provided*, That where the claim filed with the said board exceeds one hundred dollars and it appears from the report filed that said claim is illegal or unjust, the said board may make an investigation of the case and make the award accordingly. Such amount shall be paid by the county out of its general fund. No payment shall be made for any item which has already been paid by the owner of the dog or dogs doing the injury. When any payment is made by the county for any livestock bitten by a dog or dogs such payment shall not exceed one hundred dollars for each horse or mule, sixty dollars for each head of cattle, fifty dollars for each head of swine, fifteen dollars for each head of sheep or goats, or one dollar for each head of any other animal or fowl not herein enumerated, except turkeys or geese, and the payment for any one of these shall not exceed eight dollars.

SEC. 24. In counties having a board of county auditors, such board shall receive, audit, and determine all claims for damages under this act and when such claims are found to be legal and just said board of county auditors shall order their payment out of the general fund of the county. Justices of the peace in such counties shall deliver their report of investigation under this act to such board of county auditors.

SEC. 25. Any valid claims for loss or damage to livestock which have accrued under any general or local laws prior to the taking effect of this act shall not abate by reason of the repeal of such laws by the operation of this act, but all such claims, and all claims arising under this act and all expense incurred in any county in enforcing the provisions of this act shall be paid out of the general fund of the county. At the time this act takes effect, all moneys then in the "dog fund" in the hands of township or city treasurers, derived from the taxation of dogs under existing laws, shall be turned into the county general fund: *Provided*, In all cities having a well-regulated dog department, the reasonable expense of maintaining the same shall be borne by said county, duly audited by the board of supervisors, and in any county having a board of county auditors, said board of county auditors shall audit said reasonable bills, to be paid out of the general fund of the county.

SEC. 26. Any person or police officer violating or failing or refusing to comply with any of the provisions of this act shall be deemed guilty of a misdemeanor, and upon conviction shall be sentenced to pay a fine not exceeding one hundred dollars, or to imprisonment in the county jail not exceeding three months, or to both such fine and imprisonment at the discretion of the court. Any person presenting a false claim, knowing it to be false, or receiving any money on such false claim, shall be deemed guilty of a misdemeanor, and on conviction thereof shall be subject to a fine not exceeding one hundred dollars, or to imprisonment in the county jail not exceeding three months, or to both such fine and imprisonment in the discretion of the court. All fines collected under the provisions of this act shall be forthwith paid to the treasurer of the county and by him credited to the library fund of the county.

SEC. 26a. On sworn complaint to any justice of the peace of the county that any one of the following facts exists—

1. That after January tenth and before June fifteenth in each year any dog over four months old is running at large, unaccompanied by its owner, or engaged in lawful hunting and not under the reasonable control of its owner, without license attached to the collar on such dog;

2. That any dog at any time licensed or unlicensed has destroyed property or habitually trespasses in a damaging way on property of persons other than the owner;

3. That any dog at any time, licensed or unlicensed, has attacked or bitten a person;

4. That any dog shows vicious habits and molests passers-by when lawfully on the public highway;

5. That any dog, duly licensed and wearing license tag, is running at large contrary to the provisions of this act—

Such justice of the peace shall issue summons similar to that provided in section twenty of this act, to show cause why such dog should not be killed. Upon such hearing the justice may either order the dog killed or may order him confined to the premises of the owner. If the owner disobeys such an order, he shall be liable to be punished under section twenty-six of this act. Costs as in a civil case shall be taxed against the owner of the dog and collected by the county. The board of supervisors shall audit and pay claims for services of officers rendered under this section, unless the same are paid by the owner of the dog.

SEC. 27. Nothing in this act shall be construed to prevent the owner of a licensed dog from recovery, by action at law, from any police officer or other person, the value of any dog illegally killed by such police officer or other person.

SEC. 28. Nothing in this act contained shall be construed as limiting the common-law liability of the owner of a dog for damages committed by it.

SEC. 29. None of the provisions of this act shall be construed to require the licensing of any dog imported into this State, for a period not exceeding thirty days, for show, trial, breeding, or hunting purposes.

SEC. 30. All cities in this State having a population of two hundred fifty thousand, according to the last Federal census, or that shall hereafter attain such a population, and all cities and villages located entirely within the limits of any such city of two hundred fifty thousand population, are hereby excepted from all provisions of this act.

SEC. 31. If any section, clause, or proviso of this act shall be declared to be inconsistent with the constitution and void by any court of competent jurisdiction, said section, clause, or proviso so declared to be unconstitutional and void shall thereby cease to be a part of this act, but the remainder of said act shall stand and be in full force.

SEC. 32. Act number three hundred forty-seven of the Public Acts of nineteen hundred seventeen, is hereby repealed.

# ORGANIZATION OF THE UNITED STATES DEPARTMENT OF AGRICULTURE

December 12, 1929

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<i>Assistant Secretary</i> .....	R. W. DUNLAP.
<i>Director of Scientific Work</i> .....	A. F. WOODS.
<i>Director of Regulatory Work</i> .....	WALTER G. CAMPBELL.
<i>Director of Extension Work</i> .....	C. W. WARBURTON.
<i>Director of Personnel and Business Administration.</i>	W. W. STOCKBERGER.
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<i>Office of Experiment Stations</i> .....	_____, <i>Chief</i> .
<i>Office of Cooperative Extension Work</i> .....	C. B. SMITH, <i>Chief</i> .
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This bulletin is a contribution from

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